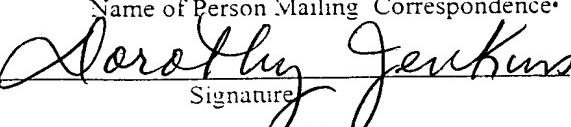


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|---|--|---|--|---|
| FORM PTO-1390 (REV 10-2000) | | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | | ATTORNEY'S DOCKET NUMBER |
| | | | | P/2107-162 |
| | | | | U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 09/762782 |
| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371 | | | | |
| INTERNATIONAL APPLICATION NO. PCT/EP99/05890/ | INTERNATIONAL FILING DATE 11 August 1999/ | PRIORITY DATE CLAIMED 12 August 1998✓ | | |
| TITLE OF INVENTION TRANSGENIC PLANTS AND PLANT CELLS WITH REDUCED EXPRESSION OF INVERTASE INHIBITORS | | | | |
| APPLICANT(S) FOR DO/EO/US Thomas RAUSCH ✓ | | | | |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: | | | | |
| <p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to promptly begin national examination procedures (35 U.S.C. 371(f)).</p> <p>4. <input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (PCT Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). - unsigned</p> <p>10. <input checked="" type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). Claims 1-21</p> | | | | |
| Items 11 to 16 below concern document(s) or information included: | | | | |
| <p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</p> | | | | |
| EXPRESS MAIL CERTIFICATE | | | | |
| <p>14. <input type="checkbox"/> A substitute specification.</p> <p>15. <input type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>16. <input checked="" type="checkbox"/> Other items or information: EFS form. 4 references</p> | | | | |
| <p>I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail Post Office to Addresses (mail label <u>EL583736315US</u>) in an envelope addressed to: Asst. Commissioner for Patents, Washington, D.C. 20231, on <u>February 12, 2001</u>.</p> <p><u>Dorothy Jenkins</u> Name of Person Mailing Correspondence  Signature</p> <p><u>February 12, 2001</u> Date of Signature</p> | | | | |

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| U.S. APPLICATION NO. if known, see 37 CFR 1.491 09762782 | | INTERNATIONAL APPLICATION NO. PCT/EP99/05890 | ATTORNEY'S DOCKET NUMBER P/2107-162 |
| 17. <input checked="" type="checkbox"/> The following fees are submitted: | | CALCULATIONS PTO USE ONLY | |
| BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1000.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$860.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$710.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$690.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 | | | |
| ENTER APPROPRIATE BASIC FEE AMOUNT = \$ 860.00 | | | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)). \$ | | | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE |
| Total claims | 21 - 20 = | 1 | X \$18.00 \$ 18.00 |
| Independent claims | 3 - 3 = | 0 | X \$80.00 \$ |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | + \$270.00 \$ | |
| TOTAL OF ABOVE CALCULATIONS = \$ 878.00 | | | |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. \$ 439.00 | | | |
| SUBTOTAL = \$ | | | |
| Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)). + \$ | | | |
| TOTAL NATIONAL FEE = \$ 439.00 | | | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property + \$ | | | |
| TOTAL FEES ENCLOSED = \$ 439.00 | | | |
| | | Amount to be refunded: \$ | |
| | | charged: \$ | |
| a. <input checked="" type="checkbox"/> A check in the amount of \$ 439. to cover the above fees is enclosed. Check No. 3328 | | | |
| b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. | | | |
| c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>15-0700</u> . A duplicate copy of this sheet is enclosed. | | | |
| NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status. | | | |
| SEND ALL CORRESPONDENCE TO: OSTROLENK, FABER, GERB & SOFFEN, LLP 1180 Avenue of the Americas New York, NY 10036-8403 | | | |
|  SIGNATURE: Edward A. Meilman NAME 24,735 REGISTRATION NUMBER | | | |
| Tel: (212) 382 0700 | | | |